

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

February 6, 1998

UNITED STATES OF AMERICA	)	
Complainant,	)	
	)	8 U.S.C. § 1324c Proceeding
v.	)	
	)	OCAHO Case No. 95C00153
FELIPE DE LEON-VALENZUELA	)	
Respondent.	)	

PREHEARING ORDER

Hearing in this matter is scheduled for March 17, 1998 at 9 a.m at

U.S. Coast Guard  
Office of the Administrative Law Judge  
8876 Gulf Freeway  
Room 370  
Houston, TX 77017-6542

A Spanish language interpreter will be present.

The parties are further advised as follows:

Exhibits

By prior order dated January 14, 1998, the parties were instructed to produce their proposed exhibits to each other for inspection and copying by January 24, 1998. Counsel for the parties should mark their proposed documentary or physical evidence in advance of the hearing. Even though an exhibit may have been marked previously with a deposition exhibit number, it must be re-marked for the hearing. Complainant's exhibits should be marked numerically and respondent's exhibits should be marked alphabetically.

With respect to any exhibits to which a party has an objection, counsel shall file appropriate memoranda citing points and authorities as to why the same should be admitted or not admitted not later than 14 days before the hearing and serve a copy on opposing counsel at the same time.

The hearing will be expedited if, in addition to the list of exhibits, a bench book containing copies of the exhibits is prepared and delivered to the Administrative Law Judge at the commencement of the hearing.

#### Use of Depositions at Hearing

Any party considering the presentation of deposition testimony is instructed to consult 28 C.F.R. § 68.24 and to comply therewith. It is the intent of the Administrative Law Judge to limit the use of deposition testimony other than for impeachment purposes. If counsel believe that presentation of deposition testimony will be required (other than for impeachment), notice shall be given to opposing counsel at least 5 days prior to the hearing of what testimony it proposes to introduce so that summaries and excerpts can be stipulated to.

#### Subpoenas

Any party in need of a subpoena to compel the attendance of a witness or the production of documents should make the request not later than 15 days prior to the hearing.

#### Stipulations

The parties should confer not later than 14 days prior to the hearing and prepare a list of uncontroverted facts, the truth of which they can stipulate to without the necessity of formal proof.

SO ORDERED.

Dated and entered this 6th day of February, 1998.

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Ellen K. Thomas  
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of February, 1998, I have served copies of the foregoing Prehearing Order on the following persons at the addresses indicated:

Dea Carpenter, Esquire  
Associate General Counsel  
Immigration and Naturalization Service  
425 "I" Street, N.W., Room 6100  
Washington, D.C. 20536

John Donovan, Esquire  
Assistant District Counsel  
Immigration and Naturalization Service  
Houston District Office  
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Adan G. Vega, Esquire  
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Houston, TX 77006-3392

Office of the Chief Administrative Hearing Officer  
5107 Leesburg Pike, Suite 2519  
Falls Church, VA 22041

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Cynthia A. Castañeda  
Legal Technician to  
Ellen K. Thomas  
Administrative Law Judge  
Office of the Chief Administrative  
Hearing Officer  
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